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conditions, is renewing the problems created by the Californian and Australian gold discoveries of a little over a half century ago, to which over forty per cent of this book is devoted, and toward the solution of which Jevons contributed so much.

Americans at the present time are greatly interested in the subject of currency and banking reform. One of the most serious defects in our present currency system, and one to which the National Monetary Commission is now devoting much attention, is its inelasticity, or irresponsiveness to seasonal and other variations in the demand for money. Along this line Jevons' essay *On the Frequent Autumnal Pressure in the Money Market and the Action of the Bank of England* has become a classic.

The second edition of this book differs from the first principally in being somewhat abridged; the fifty-two page bibliography has been omitted, as likewise the large historic diagram, and the diagram of Bank of England accounts. Some minor corrections have been made, and the figures for one of the charts have been recalculated; otherwise the text is unaltered.

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**Korkunov, N. W.** *General Theory of Law*. Translated by W. G. Hastings.

Pp. xiv, 524. Price, \$3.50. Boston: Boston Book Company, 1909.

In his endeavor to establish a true conception of law, the author reaches the conclusion that law is an order established by men as a rule for their mutual relations. Juridical norms, unlike scientific norms, are conventional. Morality discovers the criterion for the evaluation of the interests of the individual; law settles the principles of the reciprocal delimitation of the conflicting interests of different individuals.

The influence of German writers on *Rechtsphilosophie*, to whose works there are frequent references, appears in the assertion that the subjective conception of law, not destructible by positive law, is as essential to the juridical life, as religious sentiment to religion and conscience to morality. Yet it would seem that this is valued only as an influence in determining what the law will be, for it is rejected as a source of law because it is no index of the obligatory character of law.

Within the definition of positive law as the rules set and enforced by society,—custom, judicial practice and legislation are deemed the only true sources of law. The relation between these sources is inadequately developed. With respect to custom, while admitting it is the primitive form of positive law, the author takes a position midway between that of Austin and the writers of the historical school and holds that it becomes juridical only when to its observance is added the consciousness of its obligatory character. He finds difficulty in establishing judicial decision as an independent source of law, for it presupposes existing custom or legislation which is obligatory. He cannot admit the power of a court to decide according to its own will, but

finds some measure of creative activity in its power to add to the unconscious observance of a habit the consciousness of its utility and to develop out of legislative enactments a logical unity not inhering in the varied and possibly conflicting statutes. The basis for the obligatory character of legislation is found in the fact that it is set up by organs of power which can constrain individuals by force to submission. Yet custom is deemed capable of being law in spite of a legislative prohibition to the contrary,—but this, only where the opinion that the legislation is unjust is shared by everybody, *including the tribunals*.

So in effect the author puts himself in accord with that definition of law as the rules enforced in courts of justice. In spite of occasional leanings towards historical and metaphysical theories, he is more closely akin to the analytical jurists than he seems willing to confess. The work is to be commended for its critical review of the salient doctrines of continental, and more especially, German jurists, its masterly annihilation of the *Naturrecht* theories, and its crispness of diction and clarity of thought which render it free from the tediousness of most philosophical expositions of law.

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**Tolman, W. H.** *Social Engineering*. Pp. viii, 384. Price, \$2.00 net. New York: McGraw-Hill Book Company, 1909.

Were it not for the sub-title of this book, "A record of things done by American industrialists employing upwards of one and one-half million of people," one might easily be misled as to its contents. The work is not a survey of the social field with a view to the establishment of certain changes of structure which would naturally be the function of the social engineer. On the contrary, it is a cyclopedia of those isolated, detached and somewhat miscellaneous efforts of large employers individually to better the conditions of their own groups of employees, without regard to the conditions of others. To this spirit of co-operation of employers and employees the author has given the name *mutuality*.

To illustrate what may be accomplished by this method he has collected a large mass of useful information which is alike valuable to the industrialist and to the student. He illustrates the value of making experiences rather than theories the basis of reforms. He shows that practical sagacity does not wait to begin the task of social betterment until a universal scheme has been devised by which all maladjustments may be at once corrected. His optimistic conclusion, is that *mutuality* as exemplified in his numerous illustrations amply repays the employer for all its costs and pioneers the way for a gigantic scheme of social engineering which will ultimately include in its benefits all the other millions employed in social production.

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